

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HONEYWELL INTERNATIONAL INC.
and HONEYWELL INTELLECTUAL
PROPERTIES INC.,

Plaintiffs,

v.

HAMILTON SUNDSTRAND CORP.,

Defendant.

C.A. No. 99-309-GMS

**APPENDIX TO HONEYWELL'S PROPOSED
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Thomas C. Grimm (#1098)
Leslie A. Polizoti (#4299)
MORRIS, NICHOLS, ARSHT & TUNNELL LLP
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
tcgefiling@mnat.com
lpolizoti@mnat.com
Attorneys for Plaintiffs
Honeywell International Inc. and
Honeywell Intellectual Properties Inc.

OF COUNSEL:

Robert G. Krupka, P.C.
Jonathan F. Putnam
Lee Ann Stevenson
KIRKLAND & ELLIS LLP
Citigroup Center
153 East 53rd Street
New York, NY 10022-4611
(212) 446-4800

April 28, 2006

**Appendix to
Honeywell's Proposed Findings Of Fact And Conclusions Of Law**

Tab: Description:

TRIAL EXHIBITS:

JTX 9	1/29/93 Coordination Memo re: Load Compressor Control
JTX 13	3/10/93 Coordination Memo re: B Factor
JTX 15	5/27/93 Coordination Memo re: B-Factor Control Logic Problems
JTX 19	11/3/94 Coordination Memo re: Load Compressor Control Design
JTX 28	United States Patent No. 2,994,471
JTX 29	European Patent No. 1,021,797
JTX 30	United States Patent No. 4,380,893
JTX 31	File History for the United States Patent No. 4,380,893
JTX 33	File History for the United States Patent No. 4,428,194
JTX 45	United States Patent No. 4,428,194
PTX 62	10/26/92 Coordination Memo re: Load Compressor Airflow Measurement
PTX 1006	United States Patent No. 3,411,702
PTX 1015	United States Patent No. 1,052,172
PTX 1018	8/3/00 Declaration of Peter J. Suttie
PTX 1021	Sundstrand's Response to Honeywell's First Set of Requests for Admission (Remand)
PTX 1041	11/12/92 Sundstrand Power Systems Fax re: Surge Control
PTX 1065	10/25/91 Coordination Memo re: Load Compressor Flow Measurements
PTX 1066	4/23/69 Memorandum re: Dynamic Analysis of the Surge Control for the L-1011 APU
PTX 1104	6/23/92 Coordination Memo re: ΔP Measurement
PTX 1114	2/1/93 Memo re: B Factor Calculations

<u>Tab:</u>	<u>Description:</u>
PTX 1133	9/9/94 Coordination Memo re: Load Compressor Surge
PTX 1134	9/26/94 Coordination Memo re: APS 3200 'Surge' Program Plan
PTX 1140	9/16/92 Coordination Memo re: Load Compressor Airflow Measurement
DTX 104	5/30/75 Memo re: L1011 APU Surge Control Redesign Feasibility Study
DTX 105	8/15/75 Master Key for the L1011 APU
DTX 182	3/15/78 Memorandum re: F-18 surge control system development summary
DTX 202	12/16/83 Memo re: GPG Surge Control Valve
DTX 203	5/1/85 Memo re: GTC 131 surge control system
DTX 204	9/20/85 Memo re: GTCP36-300 surge control system dynamic analysis and design
DTX 210	5/04/89 Coordination Memo re: selection of static pressure pickup for surge control
DTX 217	Baghdadi Article (March 1977)
DTX 282	ASME Article (1982)
DTX 287	Creare Science and Technology Diffuser Data Book (May 1975)
DTX 288	Runstadler and Dolan Article (1973)
DTX 293	Shapiro Text (1953)
DTX 295	Shouman and Anderson Article (1964)
DTX 305	Warnock Article (1976)
DTX 308	Welliver and Acurio Report (Sept. 1967)
DTX 312	Garrett Performance Evaluation (July 1965)
DTX 313	United States Patent No. 2,470,565
DTX 317	United States Patent No. 3,047,210
DTX 327	United States Patent No. 4,164,033
DTX 349	9/7/00 Declaration of Gerard Muller

<u>Tab:</u>	<u>Description:</u>
DTX 376	Jane's Aircraft Recognition Guide (2002)
DTX 399	Photograph of L1011 Diffuser

TRIAL TRANSCRIPTS:

Feb. 2001	Trial Transcripts
March 2006	Remand Trial Transcripts

DEPOSITIONS:

6/29/00	Peter J. Suttie Deposition Transcript
10/24/00	Peter J. Suttie Deposition Transcript
12/6/05	James C. Clark Deposition Transcript

PLEADINGS:

11/10/00	Expert Report of Francis Shinskey
D.I. 265	Judgment & Special Verdict Form (2/20/01)
D.I. 275	Sundstrand's Brief in Support of its Motion for Judgment as a Matter of Law (4/6/01)
D.I. 280	Sundstrand's Brief in Opposition to Honeywell's Rule 50 Motions for Judgment as a Matter of Law (5/7/01)
10/3/05	Honeywell's Response to Sundstrand's First Set of Interrogatories on Remand
1/28/02	Sundstrand's Appeal Brief
4/19/00	Honeywell's Second Supplemental Responses to Sundstrand's First Set of Interrogatories (Nos. 2, 5, 6, 8, 9, 12)

CITED CASES:

Honeywell Int'l Inc. v. Hamilton Sundstrand Corp., No. Civ. A. 99-309 GMS, 2001 WL 66348 (D. Del. Jan. 8, 2001)

Bio-Rad Laboratories, Inc. v. Applera Corp., No. C 02-05946JW, 2005 WL 2008020 (N.D. Cal. Aug. 12, 2005)

Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki, No. Civ. A. 88-1814-PBS, 2005 WL 1398528 (D. Mass. June 10, 2005)

Tab: Description:

Sliptrack Systems, Inc. v. Steeler Metals, Inc., No. C-044-0462 PVT, 2004 WL 2323935 (N.D. Cal. Oct. 12, 2004)

Brief for the United States as Amicus Curiae filed in *Honeywell Int'l Inc., v. Hamilton Sundstrand Corp.*, No. Civ. A. 04-293, 2005 WL 1190441 (U.S. May 19, 2005)

CERTIFICATE OF SERVICE

I hereby certify that on April 28, 2006, I electronically filed the foregoing document with the Clerk of Court using CM/ECF, which will send notification of such filing to Richard D. Kirk.

I also certify that on April 28, 2006, I caused to be served true and correct copies of the foregoing document on the following in the manner indicated below:

BY E-MAIL & BY HAND

Richard D. Kirk
THE BAYARD FIRM
222 Delaware Avenue, 9th Floor
P.O. Box 25130
Wilmington, DE 19899

BY E-MAIL & FEDERAL EXPRESS

Mark L. Levine
Chris J. Lind
Brian Swanson
BARTLIT BECK HERMAN PALENCHAR & SCOTT
54 West Hubbard Street
Chicago, IL 60610

David H. Herrington
CLEARY, GOTTlieb, STEEN
& HAMILTON LLP
One Liberty Plaza
New York, NY 10006

/s/ Thomas C. Grimm

Thomas C. Grimm (#1098)
tcgefiling@mnat.com